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July 10, 2000

Mr. Thomas J. Sugrue
Bureau Chief
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Federal Communications Commission
445 12th Street, S.W., Room 3C-207
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: Wireless E911 Phase I Implementation in Washington State

Dear Mr. Sugrue:

Qwest Wireless, L.L.C. ("Qwest Wireless" formerly U S WEST Wireless, L.L.C.) hereby responds to the letter recently submitted by Marlys R. Davis, E911 Program Manager for King County Washington, regarding the current impasse over wireless E911 implementation in King County and other counties in Washington state. As one of the wireless carriers involved in the negotiations with the counties, Qwest Wireless is compelled to set the record straight and emphasize that it is ready and willing to provide E911 services in Washington state as soon as the counties are "capable of receiving and utilizing the data elements associated with the service," as required by the Federal Communications Commission's ("Commission") rules.¹

In her letter, Ms. Davis asks the Commission to clarify whether the "funding of the network and data base components of Phase I service, and the interface of these components to the existing E911 system," are the responsibility of wireless carriers or Public Safety Answer Points ("PSAPs"). Ms. Davis' letter focuses primarily on the issue of whether wireless carriers are obligated to transmit E911 data in the form that traditionally has been used by wireline carriers. Specifically, the letter states that Phase I information transmitted from wireless carriers must be converted from 20 digits to eight digits, which is the format that is compatible with the Centralized Automatic Message Accounting ("CAMA") signaling used in wireline E911 networks. In addition, the letter asserts that wireless E911 databases must be configured to allow the Phase I information to interface with existing wireline E911 Automatic Location Identification ("ALI") databases. According to Ms. Davis, some wireless carriers have agreed to implement these network and database components, while other wireless carriers have agreed to such implementation only if the counties pay for their costs.

Qwest Wireless is ready and willing to implement the network and database components that will convert 20-digit E911 information to eight-digit information and allow its E911 Phase I information to interface with the counties' existing ALI databases. Indeed, Qwest Wireless

¹ 47 C.F.R. § 20.18(f).

already has implemented such components as part of its Phase I service in other jurisdictions where it provides wireless service. Qwest Wireless is *not* seeking cost recovery for these components from the counties in Washington state, so this portion of Ms. Davis' letter does not appear to apply to Qwest Wireless.

However, Ms. Davis also contends that wireless carriers are obligated to provide the additional network and database components necessary to deliver Phase I service to the "existing E911 system" at no cost to the counties. According to Ms. Davis, PSAPs in King County and other counties in Washington state have satisfied the Commission's requirements for ordering Phase I services because they are capable of receiving and utilizing Phase I information "when it is transmitted through the existing E911 network and ALI data base." Qwest Wireless respectfully disagrees. Although it may not be clear from Ms. Davis' letter, the current impasse stems from the counties' persistent refusal to purchase the necessary facilities to link the PSAPs' existing E911 networks with wireless carriers' networks so that the counties have the capability to receive and utilize E911 data delivered from wireless carriers. Thus, the Commission's requirements for Phase I implementation have not been satisfied.

Ms. Davis asserts that some wireless carriers will not implement Phase I service unless the counties provide them with cost recovery. That certainly is not Qwest Wireless' position. Pursuant to the Commission's recent order eliminating the requirement that a cost recovery mechanism for wireless carriers be in place before a carrier is obligated to implement E911 services,² Qwest Wireless is willing to assume full responsibility for upgrading its own network to provide E911 services. However, Qwest Wireless is not required to bear the cost of upgrading the PSAPs' "existing E911 networks" in Washington state -- which were built to receive E911 data from wireline carriers -- so that they are capable of receiving and utilizing E911 data delivered from wireless carriers. While the Commission eliminated the cost recovery requirement for wireless carriers, it clearly held that a PSAP continues to be responsible for recovering its costs of receiving and utilizing the E911 data.³ The Commission stated that the PSAP cost recovery requirement remains necessary "to ensure that carriers are not required to make unnecessary expenditures in response to a PSAP that is not ready to use the E911 information."⁴ Accordingly, under the Commission's rules, Qwest Wireless is not required to upgrade its wireless network until the counties have obtained the necessary facilities to receive and utilize the E911 data.

As Ms. Davis acknowledges, network and database services traditionally have been considered elements of E911 service that are ordered by PSAPs from telecommunications companies. Such elements include the CAMA trunks that allow the PSAP to receive E911 data from the telecommunications company. These trunks are dedicated for the sole use of the PSAP and are used exclusively to deliver E911 data and connect to the ALI databases. It is important to note that in the case of wireline carriers providing E911 service, the cost of dedicated

² See *In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Second Memorandum Opinion and Order, 14 FCC Rcd. 20850, 20853 ¶ 4 (1999).

³ *Id.* ¶ 5.

⁴ *Id.* at 20879 ¶ 69.

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facilities for receiving 911 data has always been borne by the PSAP. Qwest Wireless submits that nothing in the Commission's rules compels a different result for wireless carriers. In fact, Qwest Wireless would have to purchase the trunks from a wireline carrier on the counties' behalf in order to satisfy their request.

To confirm, Qwest Wireless is ready and willing to make E911 data available to the PSAPs in Washington state (in eight-digit format as the counties have requested) at an interface located at its switch or another reasonable location, but the PSAPs must be willing to assume responsibility for receiving the E911 data and transporting it to their control centers where it can be utilized. Any contrary result would discriminate against Qwest Wireless and other wireless carriers as compared to wireline carriers providing E911 services and, once again, would not comport with the Commission's rules.

If the Commission takes any action in response to Ms. Davis' letter, it should simply reaffirm that a wireless carrier is *not* obligated to provide Phase I service until such time as the PSAP has obtained the necessary facilities to receive and utilize E911 data from the wireless carrier's network. Qwest Wireless remains hopeful that this issue can be resolved quickly so that the affected counties in Washington state can receive the benefits of Phase I service.

Please do not hesitate to call if you have any questions or would like any additional information.

Respectfully submitted,

Jeffrey A. Brueggeman

cc: Matt M. Middlebrooks, Jr.
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Marlys R. Davis